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THE
PROSPECT BEFORE US.

BEING
A SERIES OF PAPERS,
UPON

The Great Question

WHICH NOW AGITATES
THE PUBLIC MIND.
TO WHICH IS ADDED
A NEW POSTSCRIPT.

THIRD EDITION.

L O N D O N:
PRINTED FOR J. ALMON, FLEET-STREET.

M,DCC,LXXXVIII.

1788



PRO RECTOR

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TO WHICH IS ADDED

A NEW POSTSCRIPT

NOTICE

TO THE

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ADVERTISEMENT.

THE following series of Papers appeared in three of the daily prints, according to the dates prefixed to each of them; and (as the author has been informed) excited at least so much notice as he hopes will justify his publishing them in a form less fugitive and more capable of effect, than the dispersed, divided state they have before been seen in.

Stronger motives from recent events now concur to prompt this course. The extraordinary declaration of Mr. Pitt on the 11th instant, "That the Prince of Wales had no better right to administer the Government, during his father's incapacity, than any other subject of the realm," calls for and claims the repetition and dissemination of every thing that may tend to enlighten the nation upon this momentous question.

With that view the author has been induced to add a Postscript to the Papers which have already appeared; the more decisively to shew, that the sophistry of the Ministerialists, has not the slightest foundation in law, in legal analogy, the spirit of the constitution, or the history of the country.

N. B. As the time is short between the publication of this pamphlet and the discussion of this great point in both Houses of Parliament, those who have read these articles in the public prints had, perhaps, better proceed at once to the Postscript.

December 15, 1788.

ADVERTISING



December 1961

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T H E

PROSPECT BEFORE US.

NUMBER I.

November 28, 1788.

IN this reading age, it cannot be doubted that the melancholy situation of the King has pointed the curiosity of the nation in general, to a perusal of such sources of information, as may tend to throw any light upon a case so extraordinary — The history of British Regencies cannot, at this time, be otherwise than generally known ; and this reasonable presumption confines the writer, upon that part of his subject, rather to deductions resulting from the history of Regencies, than to a detail of the history itself.

As it is a character of imposture to be mysterious, so it is the object of truth to seek the tribunal of true intelligence. The writer of this paper affects no other knowledge upon this occasion than is accessible to every person who will take a little and but a little trouble ; and as he is satisfied his argument will be the more convincing as the reader gains information, he shall in his progress make such references to authority, as will enable every person fully to decide upon the justness of his reasoning.

All



All the popular histories of England, are so clearly arranged, that the heads of the several chapters will direct the inquirer to the precise passages which relate the Regencies that have taken place in this kingdom, and which are severally, in the reigns of Henry III. Edward III. Richard II. Henry VI. Edward V. and VI. together with some that took place, and some that were projected, since the accession of the present family to the crown of England.

Not any two of these Regencies are marked by an exact similitude in all parts; but throughout the whole of them there is one predominating feature, namely, that whether in the minority, the absence, or the disability of the Sovereign, the royal authority has commonly been conferred upon the *next heir to the crown, capable of executing its duties*. There are two circumstances strongly demonstrative of the public sense upon this point. Henry V. designed, upon his death bed, the Duke of Gloucester for the Regency of England; yet, with all the love of all the nation for that illustrious Prince, his will, in this instance, was directly set aside, and the Duke of Bedford, the elder brother, and presumptive heir to the crown, named to that office by Parliament, Gloucester being restrained from all power excepting in Bedford's absence. The other case occurs in the minority of Edward V. Gloucester, afterwards Richard III. the next heir to the crown *capable of executing the office*, immediately upon his brother's death, was appointed Regent, or Protector, during his nephew's minority; and though the Queen-mother suspected him of designs upon the crown, though his bloody and ambitious nature was manifest to the nation, no opposition whatever was made to his being called to this high station—inasmuch, that all the historians (Sir Thomas Moore, Hume, &c.) describe that



that devolution of power in these words, "*he being by the customs of the realm entitled to the Protectorship.*"

The Regencies of the Earl of Pembroke, in the minority of Henry III. and of the Duke of Somerset, in that of Edward VI. operate not the least against this maxim; there not being at either of these periods any one of the blood royal *capable of executing the duties.*

During the reign of Henry VI. there were no less than *three* Regencies, or protectorates; (for the species of magistrate appointed in the minority, absence, or disability of a King is sometimes called Regent, sometimes Protector, Guardian, or Lieutenant) and these three Regencies, still stronger than the former cases, shew in whose person the right exists, when necessity calls for it, as the reader will observe.

In the year 1454, upon a declared incapacity in Henry VI. the Duke of York was made Protector; but the instrument which confers the power, expressly limits the duration of it *to the majority of the Prince of Wales.*

The quarrels York and Lancaster commenced at this time. In a few months after this Regency was conferred, the families took arms.—The first battle of St. Albans was fought, which threw the King entirely into the hands of York; yet even then, in this desperate situation of the King's affairs, when the Protectorship was again conferred both by King and Parliament upon the Duke of York, the provision is revived, which was to terminate his authority *the moment the Prince of Wales came of age.*

After a succession of years, and a series of sad events, another Regency took place in the lifetime of this unhappy monarch; namely, that of the Duke of Clarence, with Lord Warwick, in 1470; and the instrument which constitutes this Regency, limits

limits likewise its duration *to the majority of the Prince of Wales*. Hence it is evident who would have been Regent during the disabilities of Henry VI. if his son, the Prince of Wales, had been of age to assume that office. (These facts the reader will find in all the histories of England; and the instruments alluded to in the 11th volume of Rymer.)

Thus far then we are gotten.—That by the laws and customs of the realm, the next heir to the crown, *capable of executing the duties*, has the clear right to be Regent, when a Regent has been necessary; and that if, unhappily, a necessity calls now for such an appointment, the person appointed must of necessity be the Prince of Wales.

Let not the reader be too quick in declaring this preamble, as to the strict right to Regency, useless, * as no body doubts it. Before I have done, he will perhaps think this preamble not at all a loss of time.

NUMBER II.

November 29, 1788.

WHETHER any necessity exists, in fact, for the appointment of a Regent, is a nice point, on which the writer touches not at present. Hereafter it will be a part of the object of this paper decently to discuss that subject on the grounds of such data as have reached the public ear. For the im-

* When this passage was first written, the writer little foresaw that any doubt would indeed have been raised upon this position; and still less, that it would be so daringly proclaimed, and from such a quarter.

mediate

mediate purpose it is sufficient to suppose, that the necessity does certainly exist ; and that the place of the Sovereign in the actual government of the country must be supplied by his son and legal successor. This granted, the next proper consideration is, *what species of Regency* it is fit to appoint ?

A full precedent, that comes exactly up to all the parts of this truly singular case, is undoubtedly not to be found in the English annals ; yet, though no such precedent is to be found, the course proper to be now adopted is so clear, so plain, so evident, so obvious to every observer, and so unavoidable by any set of men who are not abandoned to every sense of political duty, that neither the present Ministry, nor the present Parliament will, if they act upon pure motives, have any difficulty to extricate both themselves and the nation from this rare and unexampled exigence.

The course is this :

To transfer the kingly power from the reigning Sovereign, who unfortunately *cannot* execute it, to his son and legal successor, *who can*—with all the authority, with all the vigour, and with all the force that the constitution deposits in the chief magistrate of this free country, without any sort of alienation, division, or diminution whatsoever.

This is the course fit to be adopted ; and I do affirm, that the man who would act otherwise, the man who would clog the proposed Regency with any other restraints than our form of government has imposed upon the crown itself, falls directly into this dilemma—He either libels the constitution under which he lives, or libels the character of the Prince of Wales ; and, in so far as the libel operates, virtually incapacitates him for the succession to the throne of these kingdoms. I shall explain myself so as to be comprehended by even the most confused understanding.

B

If

If we are sincere in thinking our monarchy, limited as it is, the best possible form of government, nothing but hard necessity can ever tempt us to alter it. If it were the will of God to call his present Majesty out of this mortal life, it is admitted the Prince of Wales would instantly succeed to the monarchy, without any change whatever in the essence of the government; but if there occur a middle case, where the Sovereign is, though not naturally, yet politically demised, what is the first point most eligible to be accomplished? Evidently this—to retain, whatever might be the form, the *soul and substance* of that much prized government, without any alteration that is not forced by that to which all things must yield, *necessity*. Now as no necessity of any kind exists to depart from the principles and practice of the constitution, in the proposed Regency, a quiet transfer of the kingly power, during the King's political demise, to the undoubted heir of the crown, who is grown into a legal, a moral, and intellectual maturity, is the only measure that can be fairly attempted, without implying that either *the constitution is defective, or the Prince of Wales is unfit to govern.*

Whether the constitution is defective, whether it admits any improvement, or whether this is the right time to make the attempt, these are questions foreign to the immediate purpose. As they are not avowed to be the grounds of action, they cannot be pertinent points of argument to this subject; but it follows as an undeniable conclusion to the imposition of any restraints upon the Regency of the *Prince of Wales*, that are unknown to the crown in the present structure of the government, that the same restraints *should be* placed upon the Royal Authority, if his Majesty was naturally deceased, and the succession proceeded in its usual regularity.

If our form of government is excellent under a magistrate with the name of a King, it is no less excellent

excellent under a magistrate with the name of a Regent, who is *the undoubted heir* to that title. If the Prince of Wales, being the *apparent undoubted heir* to that title, is unfit to be trusted with the powers of government as Regent, he is no less unfit to be trusted with them as King.

—I say, as "*apparent undoubted heir*," for upon *that fact* rests ALL the difference between the proposed and every past Regency. The reader will see by and by, that the uniform motive for all the clogs that have been imposed upon all former Regencies during minorities and incapacities, is the *very reason* why there should be no clogs at all upon the Regency now proposed; those alone excepted which the constitution has placed upon the Sovereign himself.

In most of the Regencies which have taken place in this country, there have been various restraints, and these variously modified; but these restraints are notoriously known to have been prompted by the jealousy entertained of the ambition of the Regents, and the fears excited for the life and safe succession of the minor monarchs, the Regents, commonly being the presumptive heirs of the crown. No character for virtue or moderation exempted the Regents from the shackles of a council, or could prevail with the Parliament to leave the person of the minor in their power. — A Guardian or Protector of the minor's person had generally been appointed, and the vigilance of the Parliament and the people for his personal security, was always remarkable.

This is no local terror. Lewis XIV. in absolute dread of the ambition of the Duke of Orleans, the presumptive heir to the crown of France, appointed one of his illegitimate sons Regent of the kingdom during the minority of his great grandson and heir apparent. This arbitrary designation being obnoxious to law and common sense, was indeed set aside immediately upon the King's death,

by the very Parliament who were persuaded, in his lifetime, to register it ; and the Regency conferred upon Philip of Orleans, according to the customs of the monarchy ; but provision was previously made for the life and safety of the infant King.

Thus it was proper to place restraints that insured the legal succession upon the Earl of Lancaster, in the minority of Edward III. upon John of Ghent, in that of Richard II. upon the Duke of Bedford and his brother Humphry, in that of Henry VI. because these were the nearest relatives of the rightful heirs ; because they were all ambitious, and some of them ferocious men. The want of this precaution in Edward IV. and the want of powers in his Queen after the King's death, threw the minority of Edward V. into the sole discretion of the Duke of Gloucester, and he, in one year, annihilated the whole royal family. Councils of Regency, clogs and restraints are natural and necessary to Regents of this description, in order to guard against the worst, against any danger to the *safe succession of the rightful heir* ; but what is the world to think of clogs, restraints, and councils of Regency, unknown to the constitution when the proposed Regent is no other than the *rightful heir himself*.

Hence then it is manifest, that as the restraints imposed upon Regents in former ages, resulted principally from the zeal of the nation to preserve the succession in the legal line of hereditary right, the motive that in those times induced the adoption of them, is the *very best reason* to abandon all thoughts of reviving them under the present circumstances.

The safety of the rightful heir to the crown alone could be their object ; for the structure of the sort of government which prevailed under those councils of Regency, inverted every principle of sound policy, and the governments themselves were a fruitful source of evil while they subsisted.

NUMBER

NUMBER III.

December 1, 1788.

THERE is no axiom in our civil system more indisputable than this, *that the prerogatives of the crown cannot be divided*. They may be abridged, circumscribed, diminished, limited, some of them perhaps totally taken away—but *they cannot be divided*. The discreet exercise of these prerogatives, is the great desideratum in the wisdom of a British King. He may, indeed by an evil use of them, destroy both himself and his country; but at all events *they are his*. The two Houses of Parliament, by their very genius and constitution, are liable to faction; it is the great and main distinction between these two and the other estate, that the latter is secured from such a vice—how? By its *unity, simplicity and individuality*.

All the vast prerogatives which center in the crown were given, without doubt, for the public good, and when exerted upon *any other* principle, it is an abuse of the trust, and a fraud upon the law. But these powers cannot be shared out nor parcelled, nor participated; their great faculty of benefit consisting in their *indivisibility*.

This, I affirm, is the genuine spirit of the British constitution.

The division of the powers of the executive branch can only *spring from ignorance; must produce, while it lasts, perpetual mischief; and has every tendency to terminate in despotism*.

This opinion I set forth as a GRAND MAXIM, challenging any person to controvert it, and appealing to history for a proof of its soundness.

Whichever is the object of the suspected conspiracy of the present moment against the constitutional

tutional powers of the rightful Regent, to divide his authority, by the institution of a council of Regency, or by the junction of any other person in the Regency itself, is in fact a matter of the most perfect indifference. They are both, perhaps equally, by their essence and construction, the certain infallible source of national evil; and the difficulty consists alone in devising which of the two schemes is most pernicious.

Let us see how the thing stands upon the face of history.

The only prosperous Regency that ever prevailed in this country, either in the minority or disability of a King, was that of the Earl of Pembroke, in the reign of Henry III. Pembroke, on the death of King John, had all the military strength in his own hands, and the Barons conferred upon him ALL but the *name* of royalty. At that time the whole kingdom was convulsed: a rebellion raged in the heart of it; the Dauphine of France, invited by many of the English nobility to the crown of England, was here upon the spot, prosecuting his title at the head of a French army. Pembroke, enabled by the concentration of powers in his own person to give effect to his native valour and wisdom, in a *short time* routed the French out of his country; subdued the mutinous disposition of the nobles; conciliated all interests in the young king's favour, and left the kingdom at the time of his death in a flourishing and formidable state.

Now let the reader mark what followed.

After the death of this illustrious man, the Regency was *divided* between the Bishop of Winchester and Hubert de Burgo. From the moment of that division, all the affairs of the kingdom went into confusion. Disorder at home, and disgrace abroad, came instantly upon the country;

country; and all the historians of this period unanimously attribute to this *divided Regency*, not only all the miseries which occurred in their own time, but the having sown the seeds of all the calamities which afflicted this country for the fifty-three years of Henry's reign that followed.

But then perhaps these evils sprung more from the wickedness or incapacity of the Regents themselves, than the division of their authority—Nothing like it. Hubert was a man of extraordinary virtue and undoubted genius; but the priest, in the true spirit of the craft, fought for his share of the power inch by inch; and all Hubert's ability and good meaning were utterly useless to himself and the nation.

He could do nothing.

Thus again, in the minority of Edward III. the royal powers were parcelled out among a council of Regency. The Queen-mother, an abandoned woman, warped the majority of the council to her own vile ends; and nothing but the glorious spirit of young Edward, outstripping time as it were, and bounding into manhood, though young in years, could have saved the country from the destruction that hung over it, in consequence of a *council of Regency*, and the *division of the kingly authority*.

So too, in the minority of Richard II. the division of power between the Regent and the Council of Regency brought on all the early, and insured many of the late misfortunes of that calamitous reign. The affairs of the nation lay stagnant, from the jealousy and emulation of these two co-ordinate authorities, insomuch that the supplies raised for the public service, were, at one time, placed in the hands of two aldermen of London, for the express purpose of shewing the Regent, that the council
could

could be as mischievous as they pretended to fear he would be.

Better known and more recent are the evils which resulted from a division of the powers of government, between the Regent and the Council of Regency, in the minority of Henry VI. The speedy loss of the kingdom of France (an event, which, whether good or bad for this nation, demonstrates the impracticability of any efficient government, under a systematic division of the executive authority) the endless discord between the Regent and Council, and all the external, and all the dismal domestic miseries of that period, call loudly upon the nation never again to risk a division of the powers of government, unless that division is as utterly unavoidable.

The Regency of the Duke of Gloucester, which ended in the destruction of Edward V. and the usurpation of Richard III. affords not much example either way, excepting in this: It proves that these councils are capable of being made an instrument of evil, though few instances exist of any national good being derived from them. Had Richard, when Regent, of his own mere authority, ordered the murder of Rivers, Vaughan, Gray, &c.—the friends and relatives of the minor King, the nation had probably then caught the alarm, the overturn of the government been possibly prevented, and the royal family saved from slaughter—but Richard knew full well, that the Council, though he could suppress any inclination of theirs to do good, were capable under his auspices of the widest mischief; and he accordingly sanctioned his first cruelties by their authority. The Council confederated in these barbarities, headed by Buckingham and Hastings, who never foresaw the aims of Richard; nor once imagined that these inquitous

tous proceedings would be shortly visited upon themselves.

The Council at this time, though not, strictly speaking, a Council of Regency, appointed Richard *Protector*, without waiting the authority of Parliament; and that appointment was, perhaps, the cause of all the subsequent calamities. *Regent* he was by the late King's will, and by the customs of the realm; but it no way followed, that he should be *Protector* of the minor King's person.

The probability is, however, that in the state of the country, and of the court at that crisis; nothing could, with effect, resist the machinations of a Prince of Richard's artifice, ability, and ambition.

With respect to the Council of Regency in the minority of Edward VI. it is never mentioned but as one of those melancholy instances, which prove that times unhappily occur, where nothing can be found to exceed the despotism and folly of the King, but the servility and baseness of the people. A Council of sixteen persons *co-ordinate in power*, possessing *all* the royal authority; a Sub-council of twelve more added to this sixteen: this is indeed such a monster in polity as could not probably enter the head of any other human being that ever existed, except the capricious tyrant who formed it. All the effects of this division of the royal power were perfectly answerable to the institution. Nothing resulted from it wise, consistent, or constant; each man was a King, and each King was jealous of his fellow King.—They united at first to raise themselves into high honours—then sometimes united to destroy the country, and ultimately destroyed each other.

Thus it stands upon the face of history.—Every Regency of former ages is fraught with examples to deter posterity from ever attempting any division

sion of the regal powers, which is not *compelled by an inevitable destiny*. Where, then, the present Ministry can find any authority in English annals to make the attempt, is indeed hopeless to search.

In the Regency bill of 1751, they have no countenance; because times and things are diametrically reversed. And here the circumstances of the day suggest a curious reflection. Upon that occasion, the fathers of the two great rival statesmen of the present moment acted memorable parts. Both of them were in office, both supported a bill which appointed a Regent, restrained by a Council of Regency; and the events which are now in prospect, shall perhaps exhibit another specimen of marked degeneracy in some of their issue. Yet not in the sentiments of *any* great man, who bore his share in those transactions, can any thing be found to lend the least gloss to the suspected projects of the present moment. The Prince of Wales of that day was a *boy*—the Prince of this day is a **MAN**, bright in every quality that can grace his station. Between the two periods and the two events, there is no circumstance of affinity whatever.—Yet, then, did Lord Chatham, then did Lord Holland, though they differed vehemently upon collateral points, both maintain the maxims which I have here maintained; that the executive power should never be divided, *unless when compelled by invincible necessity*. Lord Chatham concurred in making a woman Regent, and that woman a foreigner, in order *to secure the safe succession of the rightful heir*. Lord Holland concurred in making this woman and this foreigner Regent, and passing by the Duke of Cumberland with all that Prince's known love for this country (the liberties of which he preserved with his blood), with all his valour, with all his wisdom, and with all those virtues which made him the idol of the English nation—the

the better to secure the safe succession of the rightful heir. Nay, those eminent qualities, and this very popularity of the Duke of Cumberland, were the grounds of superceding him in the Regency, and selecting the late Princess Dowager of Wales for that office. But a woman and a foreigner was a novel kind of Regent; and the fears created by her sex and her country, alone induced what division was then designed of the powers of government—a just and sufficient reason, if any reason could reconcile any division whatever!

But if the measure of *that day* could be construed into any defence of the project *now* talked of; how would the great men of that period, were they living to behold it, look back with horror at their fatal precaution? How dart their indignation at those who should dare to pervert their zeal for the safe succession of the heir apparent of our diadem, to the annihilation of the rights of the heir apparent himself!!

If my Lord Mansfield were asked and whilst he yet remains amongst us, to shed a lustre on the land, which his genius has so long adorned,—let him be asked, whether he, or any other of the illustrious characters who promoted that bill, ever apprehended it could be made a precedent for a time when a *Prince of Wales himself* was to be the Regent, and that Prince near *seven and twenty years of age*.

Such an impious plot would rouse him, even upon the verge of the grave, from the contemplation of eternity—The little grasp which the goodness of God still grants him, the last faint light that glimmers in the socket, could not but blaze a little while he vindicated himself and his cotemporaries from such an abandoned sacrifice of all their duties, as this charge would imply against them.

Lord Mansfield would *now* say, as he *then* said,
 “ The division of the royal authority is certainly
 “ unconstitutional. Councils of Regency are un-
 “ doubtedly liable to faction, and Regents with
 “ sovereign authority are not so; but Regents with
 “ sovereign authority might usurp the crown to
 “ the prejudice of the rightful heirs; and Re-
 “ gents who *can only be subjects*, should not have
 “ sovereign authority. We must provide, at once,
 “ *for the safety of the rightful heir*, and of the *nation*,
 “ in case of a minority; because minorities are
 “ always weak governments, and may again be,
 “ as they have been heretofore, productive of the
 “ greatest mischief to the nation, if not previously
 “ provided for.”

The very same reasons which induced the legis-
 lature in the year 1751, to pass a Regency bill, oc-
 casioned a revival of its provisions in the year 1765,
 in the fifth of George III. The two cases were si-
 milar in all respects. In both, the heir-apparent
 was *a child*: the mother was a foreigner in both;
 and in both, the fears of a long minority suggested
 the measure. The present Queen, a foreigner,
 and an alien to the blood royal, having no pre-
 tensions to the throne, was deemed the fittest guar-
 dian of her son's person; she was deemed too the
 fittest Regent in his minority, as she could not be
 reasonably supposed to have any views distinct
 from the welfare of her own progeny. The legis-
 lature again passed by the Duke of Cumberland, a
 hero and a statesman, because with all his virtues
 they would not hazard even the *possibility* of an
 usurpation. They selected *a woman*, and that wo-
 man a *foreigner*, for the *same reason*, and for no
 other. Yet let me ask, *was* a woman and a foreigner
 the best calculated person to govern this country?
 Surely not; and therefore to guard against conti-
 nental intrigues, or any other unfortunate bias, a
 Council of Regency was appointed to direct her;
 not

not as matter of choice, but the result of dreadful necessity. The safe succession of the *true Prince* was the great motive to the government then instituted ; which government by the same law that gave it existence, was to crumble into atoms the moment he attained his *eighteenth year*. But now, when by the singular visitation of Providence a Regency becomes requisite, we are threatened with the renewal of those provisions, unpopular as they were, whose only justification was their necessity—to preserve *the rights of the true Prince*, when the Prince was *in his cradle*—and all this is to be struggled for at a time when the Regent *can be no other than the true Prince himself*.

To conclude this point in the words of Lord Mansfield, “ *minorities are always weak governments.*” They are so to a proverb. What then should tempt us to form exactly *such* a government as *matter of choice*—to form a government in its genius and construction vicious and defective, uncompelled by any necessity of any kind, and without any good motive, or any just reason under heaven.—To hazard all the evils inseparable from the sort of government that *must* be resorted to in minorities, at a time when the proposed Regent and rightful heir to the crown is of competent maturity—To risk all the perils we have been forced, in past times, to undergo, in our anxiety to escape usurpations ; at a time when the person to be entrusted with power has the *legal, apparent, direct, undoubted* inheritance of the crown—who, if his father was naturally demised, would *confessedly* succeed to the sovereignty of the empire—all its prerogatives, powers, rights, and royalties, remaining unabated, and unimpaired ; and when superadded to all this, every event in history that assimilates at all with the case in question, every maxim, every analogy of law, and every

every principle of constitution, expressly discountenance and condemn the attempt?

— Why I think this attempt is, or was intended, it is right the reader should know; and he shall know.

NUMBER IV.

December 2, 1788.

THE flagitiousness of an attempt to violate the most popular principles of the constitution, in clogging the government of a Prince of Wales under the present circumstances, in any other way than by the known practice of our system the crown itself is restrained by, might well induce every person to doubt that any conspiracy has, in fact, been formed for such a purpose; but the rumour comes in a shape much too questionable to be rejected with total indifference. It comes from no less a quarter than a cabinet minister, and that cabinet minister the Duke of Richmond.

Now, one is puzzled to think how a man of Mr. Pitt's acknowledged craft can have designed or designing, can, before the time, have propagated a scheme, which *to a certainty* must, upon the long run, accomplish his own political destruction; and which, if even abandoned as too hopeless an iniquity, must entail upon himself all the consequences of having, at least, meditated the project. The truth, perhaps, lies a little under the surface.*

* The conjecture here thrown out has been verified by the events which have occurred since the first publication of this letter.

That

That the Duke of Richmond has sent forth this report, *I do know*—that Mr. Pitt has encouraged him, *I do believe*—that Mr. Pitt was ever in earnest, *I doubt*.

A man of Mr. Pitt's cunning might think he saw his object in sounding the sense of men through such a medium as the Duke of Richmond, and in selecting his Grace for the purpose, it is at least manifest that he knew his man. Never sure was agent better suited to an office, never was mortal better calculated to promulgate the thing which was at once preposterous and odious.

If the plan was well received, it was easy to avow it ; if it met with execration, the minister was sure he could screen himself behind the Duke's *best* fortification—the impregnable bulwark of his characteristic caprice and absurdity, and his Grace be never a whit the worse.

Surely insanity is at this time contagious ; and if it were possible that a person of the Duke of Richmond's rank and high station could ever descend to the humility of favouring the public with his sentiments through the humble medium of a newspaper, one might be justified in attributing to his Grace some of the lucubrations which have, since his Majesty's illness, appeared in some of the ministerial prints ; if so I may call them, without offence, and I am sure I mean them none.—The lucubrations I allude to have gravely assured the public, that the business of government could go on perfectly well in the management of our most excellent Ministry, notwithstanding the King's supposed incapacity for any one legal operation ; and this assertion is indeed the less improbable to be the Duke's, as he knows the fact to be otherwise.

Perhaps, however, these writers are only idle, ignorant men, who, in giving these opinion, speak to the best of their judgments, and have no worse
motive

motive in what they put forth to this end, than a wish for the duration of the minister's power.

The Duke of Richmond, however, knows much better. He knows, that with regard to all the essential functions of the monarchy, the government *stands still*.—*Hinc ille lachrimæ*.—Hence the mad fantasies that have issued from this infuriated oracle: but not mad nor ignorant is Mr. Pitt all the while; and as I think he is neither, nothing less than hearing it proclaimed by his own lips, shall ever convince me that he really meditates the perpetration of such a scheme.

And it is not his virtue that dissuades me from believing it; for with *that*, at least, I think he does not abound. It is not his genius that prohibits the supposition, for (though it were folly to deny that he has great and shining abilities) an expansion of mind, to reach all the bearings of so vast a wickedness, I fairly do not think him gifted with.—But it is Mr. Pitt's *prudence* which inclines me to refuse all credit to the report.

It is his *prudence* which I trust to, and which must have long since informed him that an endeavour to entrench himself in power, by an attack upon the royal rights of the true heir to the crown of Great Britain, will open to the world the naked nature of his own mind; and stamp him with the most unmagnanimous, the most vile, the most fordid love of office. His *prudence*, which must convince him that in such an attempt, he must relinquish, *for ever*, all pretence to the slightest dignity of character.

As his enemy, I might rejoice at such a hardy and flagrant iniquity, and *sure he has no friend* if this course is recommended to him. None but the locusts who cling to him while he has power—none but the leeches who stick upon him while yet he can ooze out any thing; and who will fall off when
they

they have absorbed the seats of corruption—not to be but *these* can seriously advise him to this desperate undertaking.

Indeed there is another, and but one other consideration, that might encourage Mr. Pitt to this tremendous experiment :

He might cast his look a few years back, and say to himself this “ I know it is possible for a bad servant to instigate a good sovereign to plight his royal word, that he should not dissolve his Parliament, at the very time it was determined to dissolve it; therefore it is necessary to guard against a similar evil in future times: I *know* it is possible a House of Commons might exist which would resist all the threats of civil extinction; all the blandishments of power, and all the bribes of office; rather than sacrifice their sense of public duty; it is therefore proper to restrain a prerogative which may annihilate such a body in punishment for such independence—I know it is possible to defeat the most virtuous exertion of the democracy of England by a dark faction of the Peerage; and it is therefore fit to curb the great prerogative of lifting men to that high dignity, who (as suited the ends of a Minister or the whim of a King) may best promote the profligate purpose of the moment.” Or finally, and in a word, he may from an aggregate result of the whole tenor of his own political life, make one more stout, resolute, dashing determination; and, having trampled upon the most fundamental privileges of the Commons of England, to *procure* his present office, he should think it but consistent to strip away the most sacred rights of the crown to *preserve* it!

Here let us pause a little.

Having shewn, that if there exist at this time a necessity for a Regent, that Regent must, *according to the spirit of the constitution*, be the Prince of Wales.

Wales. Having shewn that all restraints upon Regencies in former ages have been imposed only to secure the safe succession of the rightful heir, these restraints cannot, *according to the spirit of the constitution*, be now revived, when, for the first time in our history, in consequence of a situation without example, the Regent *can be no other* than the rightful heir himself. Let us for argument suppose this appointment actually made, as I doubt not it will be, undivided in its power, unclogged by any fetters, not placed by the constitution upon the crown itself, and then let us contemplate the
THE PROSPECT BEFORE US.

This contemplation naturally branches into two views: First, the personal qualities of the Prince himself; secondly, his supposed political predilections.

First then, the Prince himself.

NUMBER V.

December 3, 1788.

AS the eulogies of prosperity are always suspicious, it may not be amiss to say (and yet perhaps it is idle to say it) that if this page have any complexion of panegyric, the writer's sincerity should be the less questioned, as the high person it speaks of has been the subject of his praise, in terms more gay, more studied, though not less true, than he shall now appear in; long, long before his accession to the royalties of these realms, seemed to lay, in the probable course of nature, within his reach, for at least a score of years.—

Indeed,

Indeed, if a man may be allowed to speak at all of himself, I am not very conscious of being inclined to select the season of good fortune for the commendation of any body.

Personal comparison is generally thought an invidious, and must be always a delicate task ; but that delicacy is *here* so much above all common cases, that in truth no artifice of discrimination, no nicety of phrase, and no dexterity or delineation could secure the attempt from being thought at least irreverend. I shall escape the charge by avoiding the attempt altogether.

Self-love is the universal principle of human action, and the love of ease, as an emanation from it, is common to all mankind. There is no superiority more intollerable in social circles, than that species which is intellectual ; and people always seek for their intimate companions such men as preclude all necessity for care in conversation, or vigilance in manners. Great talents are, indeed, admired, but they are admired at a distance ; and it is from the operation of this very principle, that the world receives with more than common pleasure such calumnies, against men of genius, as tend to level them down to the ordinary standard. Princes are but men, and no more exempted from this weakness than the bulk of their fellow-creatures. Obligated by their station to assume in public a character which is not required of common mortals, they are, perhaps, more anxious than other people to repose and to relax to their private scenes. Though placed by fortune at the head of mankind, they know there is apother kind of greatness which crowns cannot confer ; and the embarrassing presence of which they are apt to shun perhaps too sedulously.—Thence the saying of philosophers, “ that princes are fond of bad company.” Hence Montefquieu remarks, “ That, after all, he cannot

“ not help having some compassion for princes,
 “ who are generally surrounded, from the cradle
 “ to the grave, with knaves and sycophants.”

From this foible the greatest prince of modern times, the late King of Prussia himself, was not wholly free, and he had the pleasantry to jest at himself for indulging it; but men of the character here alluded to, and who, in general, surrounded him, were, I suspect, more frequently the subject of his jest.

A pamphlet which the friends of Mr. Hastings thought it might be for his interest to send forth a couple of years since, informs us that the Prince of Wales's private familiars, “ *are the most obscure and unprincipled individuals with which this capital teems;*” and the diurnal vouchers of Mr. Pitt's merit acquaint us, that the political party, whom this Prince is supposed to grace with his countenance are “ *a gang of beggars, gamblers and vagabonds.*—I shall state both the one and the other somewhat differently, and I apprehend I shall be a little nearer the truth.

The Prince of Wales's private companions have never been any other than were suitable to his character and time of life. They have always been the junior nobility and gentry of the three kingdoms he was born to govern, without distinction as to the place of their nativity. Men of rank and due recommendation from foreign countries it has been his *settled custom* to treat with an attention which at once marked the hospitality of the nation, and the dignity of the host. To say that he shines in this character with peculiar brightness—to say that in all the graces of address and deportment which adorn the exterior,—those graces which throw a lustre over the most barren minds, but which when united with mental cultivation, exhibit a gentleman in the most finished splendor; to say
 this

this of the Prince of Wales is but to echo the sense of all Europe, which has long since pronounced him as having no rival in these accomplishments, among the courts of Christendom. Indeed his talent this way is so singular, its powers of acting so curious and creative; that no image can be formed from description of its force and effect; for as no art can teach it, no language can paint it, and to be comprehended, it must be seen.

There is a kind of practice which the customs of amusement among European nations require gentlemen to be expert in, and which by their very nature, render those who try them, in general lucky and successful, if they but escape ridicule, which this Prince makes an act of nameless elegance, and a source even of fame. Whether softened by society, or melted by amusement; in any enjoyment of mirth, frolic, or hilarity, these graces never are, for they never can be shaken off. In the promotion or fruition of pastime—in extending the jest, or circulating the pleasantry (and no man can enjoy the one, or excite the other better than himself) the Prince is never once extinct about him. He can call him up at any moment, not by austerly interposing his rank; not by a lofty assumption from the altitude of his sphere; but by an innate intrinsic dignity which is planted all about him; by a peculiar majesty of manner which seems as it were *to grow out of him*.

These are faculties with which no shallow man was ever gifted. The Prince of Wales is in fact a true genius. Parts more lively and quick, a discernment of characters more acute and keen, an understanding more sharp and comprehensive, no man is blessed with. His conversation is unembarrassed and eloquent; his language pure, without care, and flowing with fluency. With the cultivation of his mind I profess not to be acquainted; but

but from some few of his private letters, which accident has thrown in my way, I entertain a very high opinion of his attainments. His correspondence with a great person upon a late occasion, is said to have been managed with singular skill, with a spirit tempered by duty; a sense of right, qualified by a becoming submission; the greatest accuracy of expression, and the most logical arrangement of reasoning. This correspondence is lost to the world, and it is fit it should; but the opinion of one of the most judging men in Great Britain, and of one of the very best * men under heaven, (who differed in opinion from the Prince upon that very occasion) is perfectly well-known, and was this, "That in his whole life, he never heard a man maintain his argument with more ability and eloquence."

Indeed, the powers of that man must be prodigious, who, in the same moment, and at the same table, could have exacted the loudest praises from the most venerable, the most sapient †, and most cultivated Peer in this country, for a display of deep knowledge and sound judgment upon the most important subjects; and who could instantly turn aside and discourse a man of quite another description upon a trite topic of the current fashion, with a fitness and vivacity becoming the light nature of the object, and the lighter head of the party.

Variety and versatility of talents he undoubtedly possesses in the first perfection. The gift of accommodating himself to the situation he is placed in—of lowering or exalting conversation to the capacity or inclination of his society, no man can have in a higher degree. He never encumbers with his greatness, nor represses reasoning from differ-

* The Duke of Portland. † Lord Mansfield.

ence in opinion.—His good nature is great, because his good sense is so; and his politeness is flattering, because it is unaffected.

Princes are said to have few friends, and the maxim is commonly true, without doubt. It admits, however, its exceptions—and this is one of them; for I do verily believe, there is not a man about the Prince of Wales, who does not love him with the cordial glow of a private gentleman.

Swift remarks, that every man thinks himself a statesman. He might have added, that every man thinks himself qualified to advise a Prince. Whoever has looked with a little closeness at those who by habit or situation surround the Prince of Wales, cannot fail to have observed, now and then, an anxiety for favour, somewhat bordering upon jealousy. They would *all* be favourites. But this, though not unnatural nor unusual in courts, is both intemperate and unreasonable. Each has his share, and should be content;—not of an attention which is at the same time silly and treacherous, but of a substantial amity which is manly and sincere.

It is hard to tell which most abounds, the folly or the malignity of mankind. This Prince has been charged with suffering men to hurt their fortunes in supporting his society. *The charge is a calumny.* He can no more teach them all wisdom, than he can give them wealth. And it happens, that I know from the most perfect authority, that where this charge was *first* pointed, he actually cautioned the person against the consequence of extravagance. His advice was not followed, though his prediction was verified. But his friendship was faithful, for an honourable testimony exists of it at this moment.

Praises have not unfrequently been poured out upon the Prince of Wales for a zeal to promote the arts; but as far as any facts have reached the writer's

ter's knowledge, those praises have commonly come from quarters who were seeking some little interests of their own.

The lesser arts have been improving in England, in these latter years ; but they have, to use Goldsmith's words, " supplanted the rights of their eldest sister," the noblest of all arts. Since the accession of the House of Brunswick, it cannot be denied that literature in general has been upon the decline in this country ; but the causes seem not difficult to be traced, so far as the protection of royalty may effect its welfare. The two first Kings of that family were foreigners by education, and could not be sensible of the charms of composition, in a language, whose beauties they were not acquainted with. The countenance of the third Prince has been bestowed upon arts of another kind ; which, though not great, were amusing and harmless.—The little that has been done for the interest of letters, has been done only by Lord Bute, whatever his errors were in other respects ;—and it will be a memorable proof of the King's entire difference in things of this sort, to have discouraged a small addition to poor Johnson's pension, when his health required a journey to the South of Europe, a man to whom any Prince might have been proud to have contributed length of days, and increase of comfort.

The same spirit of freedom and of justice which has prompted this sentiment, compels me to say, that I am not acquainted with any thing which challenges much fame in this way even for the Prince of Wales himself ; but I give a man of his endowments full credit for a true taste, and that his heart is generous and magnificent, I am [•] thoroughly

* The late Sir John Elliot related the following anecdote to the writer of this pamphlet. The Prince of Wales, a few years since, took up *Armstrong's Economy of Love*, and read the poem without

roughly convinced :—But in truth, his sphere is narrow ; and if his power was more ample, its inaction might perhaps be fully justified in the paucity of objects that are worthy his patronage. *Of that kind of genius* there is scarcely any existing amongst us.

It has sometimes been objected, that those who were commonly near the Prince of Wales, were not in general the wisest men in the world. The Prince of Wales knows men of all endowments, and he comes into business with that great advantage. No man has a keener talent at finding out the predominating excellence, —and all the kind of persons alluded to have contributed in their several styles, to his innocent entertainment. To have “ *no fool to laugh at,*” has been counted one of the inflictions of Providence upon as witty and able a man as ever this country produced ; and the Prince of Wales in fact yields not to the Duke of Buckingham himself, of whom this was said, in making the weak and the ludicrous of many men who surrounded him, a source of amusement, as full of mirth, and more free from mischief than the Duke.

But to make equality of powers *indispensable* in those, who by age and by fortune are his appropriate intimates, would in fact have driven him to solitude ; for in all the circles of our youthful nobility, he could not find his own match ; and I pronounce this opinion with a perfect certainty of being right—that, taken for all in all, and rank

without once putting down the book. In a transport of admiration, he asked for the author ; the author was quite easy about his fame and his poetry ; but the Prince was informed, there was a surviving brother of his, not in the most flourishing circumstances. From means at that time notoriously scanty, he sent him a present, which was worthy of the donor ; and which, to repeat Sir John's own words, “ gave the poor gentleman a comfortable winter.”

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and royalties out of the question, *he is himself the first young man in Great Britain ! !*

Such, in my judgment, is the Prince of Wales ; and from this sketch of him, the reader will form his own opinion of the Prospect before us, in so far as depends upon *his personal qualities*. What depends upon his supposed political predilections, we shall see by and by.

NUMBER VI.

December 4, 1788.

THE political predilections of a Prince of Wales, are at all times of the utmost importance to the people of this country. They are of more importance at this time, than in any period of our history, as the weight and privileges of the people have been more depressed, and the influence and prerogatives of the crown more exalted by Mr. Pitt in his five years administration, than my Lord Stafford ever aimed at, or the loftiest minister of Charles II. ever ventured to wish for. Hereafter I shall *prove* the fact I am now content with *asserting*.

The monarch is unfit to govern any people whose constitution he is ignorant of. The Prince of Wales must be supposed thoroughly to understand the genius of the British constitution ; concluding from all that has appeared of his political conduct.

He knows that although the blood of the Plantagenets and Stuarts flows through his veins ; though his ancestors are renowned for their valour, and

and illustrious for their origin every way ; yet that his family has acceded to the throne of these kingdoms, not upon the ground of hereditary right ; though upon a much nobler title.—He knows their exaltation to the British throne was occasioned by that STUPENDOUS EVENT, which proved there was an original contract between King and people, the breach of which might forfeit the King's personal title, and involve the rights of his posterity—That event which asserted this sacred sentiment—that the Prince who would sway the sceptre of the British nation, *must not* destroy its liberties. He knows this was brought about by the union of great names, great talents, and great families, in at least a divided state of the public mind ; and that plots, commotions, and rebellions have sometimes agitated the country, which had their source in the discontent of many persons against that act—that it was not till after a succession of years ; after the sweet experience of the system it produced in the mild, moderate constitutional use of the regal prerogatives in the hands of the Brunswick Princes, that this mighty measure become *so* reconciled, and wrought *such* a change in its adversaries, that the royal family now upon the throne of Great Britain are, in fact, more deeply seated in *all* their people's hearts, than any other race of Princes upon earth.

Of such an event ; (so far from distant, that many men now living recollect the time it happened) of their descendants, who accomplished a thing so good and so glorious for his own family, it would ill become a Brunswick Prince to discover oblivion or neglect. And if a monarch of that race was ever to commence his career with a manifest antipathy to the men whose ancestors accomplished so great a work, against the most formidable difficulties, and whose free and loyal principles

still remain immutable, it might naturally be expected that his whole reign would be one successive struggle against the spirit of liberty; and if it should happen to terminate in the loss of an empire, it would be but *reaping the produce of the seed that was sown!*

Such a Prince may, indeed, have many private virtues, but posterity, who could only know him in the sad effects, of his reign, and the historian's narrative, would, perhaps, shew his memory but little quarter.

These antipathies have never yet appeared in the Prince of Wales. On the contrary, he has discovered the most avowed, the most constant, and cordial attachment to those principles, and sincerely cherished those very men—not, "*a gang of gamblers, beggars, and vagabonds,*" as they are styled by Mr. Pitt's panegyrists, but such men as I shall describe them.

Whoever looks over the history of his country, and observing those great names who by valour, or by wisdom, or by hospitality, have in the earliest times spread a lustre around them, and is curious to inquire concerning their posterity—will find them in *that party*, as it is commonly called, which the Prince of Wales graces with his attachment. Whoever, in perusing past times, feels his bosom swell at the exploits of those who, while any thing worth notice is recorded in our annals are found to have been foremost in swelling the pomp of victory, and raising the military renown of our nation, and is curious to know the public conduct of their descendants in the present times, will find them in *that party*. Whoever, zealous and warm for civil liberty, that noblest work of man, reads with admiration and with wonder the hardy, intrepid, unbending spirits, who in the teeth of tyranny, public baseness, or popular illusion,

sion, have with firm, unchanging, invincible determination, placed men's rights upon the base of law, out of peril from the oppressor's grasp, or the caprice of the multitude, and is desirous to hear of their posterity, will find them in *that party* — In *that party* they will find the sons of those who, in all circumstances, and under all threats of power and seductions of corruption, were *never once* known to desert the people. They will find in it the issue of those who fought, who bled, who perished for the freedom we now enjoy, and whose blood redeemed it upon a scaffold.

Men of great fortunes are supposed to be the most interested in the liberties of their country. The supposition is an error. Private property is safe in most countries, for it is not the interest of the worst tyrants to disturb it ; and perhaps men who have only their parts and their activity to help them forward, have the deepest stakes in a free state, because *there* alone they can be sure of making any impression.

Yet if wealth and wide possession can add importance or lustre to a cause, in *that party* will be found the greatest fortunes of every kind, the greatest landed property, the most ancient and extensive holdings, with all the rights and honourable appendages which accompany them. So that for antiquity and nobleness of blood, for renown in arms, and for civil reputation, for tried impregnable virtue, for the greatest and most extensive property, this party comprehends whatever the country has, which is *most* respectable, and *most* distinguished.

The men themselves too are the genuine heirs of the wealth and worth of their ancestors ; generous, magnificent, just, honourable, polite, open and sincere : descending into popular circles and mingling with the mass of their countrymen, not with a constrained

constrained complaisance or factitious humility, which insult in their condescension, and which cannot pass upon the most shallow; but melting and mixing with their fellow citizens in the free flow of one good common cause; like a rich river that receives the adjacent streams, and rolls along in one full, clear, incorporated current.

For abilities of every kind, the most various and transcending, those amongst them who are destined for active scenes are so established and so famed, that no new idea could be given to the nation by even the most detailed applauses. Their second, nay their third ranks, are filled with men more capable of governing an empire, than the whole combined phalanx of their antagonists. In fact, what are their antagonists?

I would not do the thing myself which I condemn in others. Hard words are not the types of truth, and a good cause disdains the aid of calumny. But what are their antagonists? Are they not the shreds and patches, the scraps and fragments of every little faction that has existed in the country these thirty years. A kind of chips that have fallen from the trunk of other parties, and sunk undistinguished into the heap of common rubbish, until called into being by the mysterious resurrection of 1783. Without concert, or attachment, or sincerity, or sympathy of any other kind than result from their common avarice of their stations and salaries. Without public principle to cement them in private friendship, or private friendship to unite them in public principle. Feeble, foolish, arrogant, weak and preposterous. The man would have been deemed a Bedlamite, who would have asserted at their formation, that they could subsist a month; and yet they subsist at this moment, to the utter astonishment of all the world, after attempting and perpetrating (as I shall prove in due time)

time) more follies, more absurdities, and more iniquities, than any ministers that ever filled the offices of government for thrice the space of time.

And yet they tell us Mr. Pitt is popular. Is he so indeed? Why, then, let us look this popularity straight in the face.

NUMBER VII.

December 8, 1788.

THE writer is induced to interrupt the arrangement he proposed in the last Number of this article, and to forego the consideration of Mr. Pitt's alleged popularity until his next publication; by the wish of saying something more upon a subject which more immediately engages the public interest.

As the situation of the kingdom in the present exigence is on all hands admitted to be *new*, so too must be the act which is to extricate the kingdom from this exigence. The public emergency which bears the greatest similitude to our dilemma at this moment, is undoubtedly the crisis of the Revolution in 1688; and in many respects the operations of both periods must be alike. At this moment it is manifest, that there exists in this country no Legislature. To make laws is the very essence of legislation, and where there is no third estate to ratify the acts of the two other estates, no law can be made. It has been a doubt with some of the most venerable parliamentary authorities among us, whether in fact the House had upon their meeting at the end of the prorogation a fortnight

night ago, any capacity for any parliamentary proceeding whatever ; the thing being without example for the parliament to assemble, after the prorogation, without the presence of the King, or some message, or some commission from the crown ; and the Speaker felt this difficulty so strong, that he questioned the power of the House to issue a writ for the borough of Colchester.

Admitting, however, that the powers of each House to remedy this great evil may not be disputed, the thing to be done, cannot be done as an ordinary act of legislation. Either the Prince of Wales, upon the declaration of his father's incapacity, *succeeds of right* to the execution of the sovereignty during the existence of that incapacity ; or the investiture of him, or of any other person, with that power, must resemble the measure of the convention in 1688.

If the Prince has this right, the government remains *entire*, notwithstanding the incapacity of the king. If he has not the right, then the frame of the government is dissolved as in 1688, and all the principles then adopted must be admitted now, the difference consisting only in their application.

At that time there was no legislature and no government ; neither the one nor the other exists at this time ; and the cause of the defect resulting in both instances from the want of a King : a virtual vacancy of the throne is now implied, as an actual vacancy was then asserted. But in that case the actual vacancy of the throne arose from the incapacity of a King to govern in consequence of being expelled for his crimes : the virtual vacancy of the throne in this case arises from the incapacity of a King to govern, in consequence of the act of God. The King however existing in the very plenitude of his subjects' affection.

Here

Here let me observe, that this paper affecting to be no more than a piece of reasoning (weak perhaps and forceless) cannot justly incur the charge of premunire, disloyalty, or disaffection. Not one word can be intended, because not one such sentiment pervades the bosom of the writer, to the prejudice of King George the Third's regal title, or of his personal virtues. And with regard to the disorder, which to the wide regret of all his people, afflicts his Majesty; if any persons have really attempted to exaggerate that melancholy situation, it is difficult to say whether the attempt was most abominable or foolish. To *wish* the King worse is wicked, and to *seem* to wish it, is weak. After professing a just horror at any such practice, it is only necessary for me to add, that I shall meddle not at all with the nature or degree of the Sovereign's malady: all that is pertinent to the drift of this argument, being his declared incapacity to govern.

Although so much has been said upon the *choice* of a Regent, and the division of his power, it will appear from the deepest research into the nature of our constitution and the spirit of our laws, not only that no other person can be Regent, except the Prince of Wales, and that he must be Regent, with sovereign authority, without subverting all the fundamentals of law and constitution; but that it is maintainable in argument, though the first sound of the position will come with surprise upon the reader, that the Prince of Wales is at this moment, namely, during his father's incapacity, in the *spirit of the constitution*, King of England *.

* The reader will observe by the date of this letter, that it was published before any of the discussions took place upon this point in either House of Parliament.

I say, *maintainable in argument*, not to propagate any idea of sedition or disloyalty, but to bottom the Prince's right to a *Sovereign Regency*, in ground so impregnable, that it cannot be assailed by any thing to be drawn from the laws of regal succession in this country, or deduced from the genius of this constitution.

All writers, both upon civil and common law, agree, that there is a civil as well as a natural death. They agree, that the King, who is utterly incapable of any function of Sovereignty, is *civilly* dead. They agree, that though there is a distinction between a right, and the exercise of a right; yet, that a permanent and immoveable incapacity to exercise a right, extinguishes in consequence the right itself. It is a maxim of the laws of England, *that the throne is never vacant*. Utter incapacity to govern, constitutes a civil death. The King, who is civilly dead cannot fill the throne; then, if the throne of England is never vacant, who fills it at this moment?

As to the cases which constitute the sort of incapacity, which incapacity constitutes a vacancy of the throne, the fullest possible discussion took place at the Revolution. Some of the greatest men that ever lived in England, lived at that moment. The nation was ransacked for ability to represent the people in the famous Convention Parliament, and each House selected its most renowned leaders, for the great conference that took place on the 5th of February, 1689. The transactions of that illustrious day, are recorded with an accuracy that has never been called in question; and, upon that occasion, as well as during the whole progress of that mighty business, the incapacity under which our Sovereign now labours, was repeatedly alluded to, as one of the cases that constituted a civil death.

Among other opinions, it may be worth the reader's while to notice the following.

Sir

Sir Robert Sawyer. " Suppose the King had
 " entered into a monastery, that is a civil death ;
 " when he renounces the civil administration of
 " his government, that is a civil death ; if he is
 " incapable of government, then he is civilly dead.
 " For there is a civil as well as a natural death,
 " and the King, *though living, may be dead in effect.*"

The Bishop of Ely—" There is a natural incapacity for the exercise of the right, such as sickness, *lunacy*, infancy, doating old age, or *incurable disease*. The highest instance of an abdication is *when a Prince is unable to execute his power.*"

Sir George Treby, " The King that *cannot*, or
 " will not, administer the government, *is no longer*
 " *King*, which is a sufficient reason to declare the
 " throne vacant." Mr. Finch, " Suppose it the
 " case of a *lunatic*, the nation may provide for the
 " government."

Mr. Dolben. " Relinquishing the government,
 " or by death, in either case it is a demise. In the
 " *necessity of government* all these cases have the
 " *same consequence*. When the interruption is *in*
 " *the administration*, it is *demised*. Where there is
 " the *same mischief*, there must be the *same remedy.*"

Sir Richard Temple. " Suppose it the case of
 " a *lunatic*, would not *that* be a vacancy?"

Such are some of the opinions, that at the Revolution prevailed as to the causes that constituted incapacities, and in consequence of those incapacities, vacancies of the throne. The reader will apply them as he thinks fit upon the present occasion, and according to their value.

Here it is necessary to observe that the doctrines in favour of King James the Second's son, during this celebrated conference, apply with irresistible force at the present moment; because they were drawn from the hereditary nature of the British monarchy, and though urged by the Tories, were

admitted by the Whigs, as the undoubted laws of succession to the British crown; which it was not the object of the Revolution at all to infringe upon. To get rid of James altogether was the first object; and the second was to blink the rights of his son; but the principles of hereditary succession remained, and remain to this hour exactly as in former ages.

The use of this remark the reader will see if he applies to the case in question, the doctrines of Succession universally admitted by Whigs and Tories, by all classes of men, and by all descriptions of reasoners at the time of the Revolution.

If, then, natural incapacity constitutes a civil death, and a civil death a virtual, if not an absolute vacancy of the Throne, let us see, by the test of Revolution principles, who has the right to execute the government.

Lord Clarendon. "Admit the throne to be vacant from whatever cause, must it not be supplied by *those* who should have come in, if *the King was dead?*"

Lord Nottingham. "Admitting the throne to be vacant as to *the King*, how can it be so as to his *heirs*? for the course of inheritance to the crown of England is by our law so provided for, that no attainder of the heir of the crown will bar his succession to the throne, as it doth the descent of any common person. The King being dead *civilly*, the *next in course* ought to come in, as by hereditary succession: for I know *no distinction* between succession in the case of a natural death and those of a *civil one*."

To those two authorities I may add two thousand, but those are sufficient; for they vindicate the principles of succession to the British crown, and all parties, and all sides admitted them. Now as to the *necessity* that presses upon us, how comes all

all this discussion, if there be no necessity? "If," says Sir Richard Temple, "the throne is not vacant *how are we here assembled without a King?*" "How," adds Mr. Paul Foley, "should we be debating about the settlement of the Sovereignty, *but that we have no King?*"

But when we have a King *de jure*. We have so; and what is a King *de jure*, who cannot be at the same time a King *de facto*? "Nobody can say," observes Mr. Pollexfen, "There is any distinction in fact, between government and the exercise of the government; for whoever takes from the King the exercise of the government, takes from the King his kingship, for the power and the exercise of power are so joined, they cannot be severed."

For one hundred years we have heard of a King of England *de jure*, whose pretence has been the scoff of Europe. It is a claim indeed which made at Rome, excites but ridicule; which made at Kew, can under the present circumstances excite but affliction; and which can only be made at Carlton-house, with any benefit to the nation, or any safety to the crown itself; because *there alone*, the fact, and the right can exist together.

It is reported that the old maxim, *nemo est heres viventis* is to be revived to the prejudice of the Prince of Wales on this occasion; and a * cabinet Minister is said to have declared, that if his Majesty lived these fifty years in his present situation, his eldest son is only his first subject, having *no more right* to administer the government than the meanest of his subjects. If this report is true, all I can say is, that Dr. Addington has been rashly ridiculed for a supposed notion of madness being *contagious*. —READING, it seems, is not the only place where

* The author was well informed as to the fact that this was a cabinet doctrine; only instead of the oldest, it has been first openly proclaimed by the youngest Minister.

the atmosphere is charged with this new kind of distemper; and I cannot help observing, that if "*doating old age*" be allowed, as advanced at the Revolution, to incapacitate a King from executing his functions, it should likewise disable a Minister from advising in his councils.

A maxim contradicting by the tide of experience, can have but little weight; and this very maxim is rejected and refuted by the uniform practice of the laws of England, which bear any analogy to the present subject. In all cases where lunacy is legally established, it is the settled custom of the Court of Chancery to give the care of the property to the heir at law, or to that person nearest of kin, who is most interested in the success of that property. The application of the maxim too, upon the present occasion, will be justly denied; for the word *viventis*, or *life*, does not bear upon the case; lunacy, whether in sovereign or subject, being in every civil sense, a *demise*. With what face then, or force, a maxim, (never formed for an occasion that is unexampled in our annals) can be revived or contended for here, there is sure no conceiving; and, if the unbought opinion of lawyers is of any consideration, it is no light succour to my argument, that all Westminster-hall is of the same sentiment.

And indeed who suffers by the admission of this reasoning? Not King George III. surely! For if it pleased Heaven to restore him to the capacity of government, who is there so diabolical that would dispute his title? For such a recovery too, the nation would have the best authority. Not that of a Margaret of Anjou, but of Charlotte of Mecklenburgh, the shrewdness of whose understanding was never called in question, who is a mirror of conjugal virtue, and the theme of universal praise—no
other

other I suppose than this excellent Princess would be made guardian of the King's person.

In this great business, it were without doubt indecent to be precipitate ; but to delay without just reason the settlement of the kingdom, is a public crime. No evil can befall this country greater than that which it now suffers ; namely, the non-existence of any Government. If there be any just ground to hope for the King's speedy recovery, the delay is a virtue :—if there be none ; and if it should turn out, that the protraction, which is expected to be proposed by the Ministry, should only arise from their reluctance to risk their places, no language can be too strong to describe their baseness.

——— “ Even handed justice
 “ Returns the ingredients of our poisoned chalice
 “ To our own lips.”———

That ambition and love of power which Mr. Pitt was wont to charge upon others, are now retorted by staring, flagrant facts upon himself. King Edward II. and King Richard II. lost their crowns and their lives for putting into the hands of a few favourites too much power and emolument : and yet all that was ever in the hands of Piers Gavaston, Hugh Le Despencer, and Robert Vere, the favourites of these Princes, makes not a tenth part of what is possessed at this moment, and has been for a long time back, by William Pitt and his family. William Pitt, William Pitt's brother, his brother's father-in-law, and his first cousins, have among them all the influence, all the power, and all the patronage of the whole British Empire. England, Ireland, Scotland, Asia, and America, Navy, Army, and Revenue, all, *all*, are centered in the family of William Pitt.

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Still, however we are told Mr. Pitt is high in the estimation of many—He may be so, for there is no answering for the folly of mankind. He may be the admiration of thousands,—for Jack of Leyden and Lord George Gordon were so. His plans may be thought wise—for numbers believed in the Cock-lane Ghost and the Bottle Conjuror. He may be deemed disinterested—for Nero was counted merciful, and John Wilkes patriotic. But the bubbles burst at length, and nothing remained but fallacy and imposture.

And Mr. Pitt *may be* deemed popular, but it shall be my task to prove that he *ought not*.

POSTSCRIPT.

P O S T S C R I P T.

December 15, 1788.

AT the close of the foregoing papers, the writer but little suspected that a few days would demonstrate the necessity of the pains he had taken in vindicating the title of the Prince of Wales to the Regency of the kingdom, under the present circumstances of the Regal Authority. Nothing less than divination could have foreseen the event of last Wednesday, when the Minister of King George the Third declared, in the face of the House of Commons of England, that the Eldest Son of that King "HAD NO MORE RIGHT TO ADMINISTER THE GOVERNMENT DURING HIS FATHER'S INCAPACITY THAN ANY OTHER SUBJECT OF GREAT BRITAIN." This extraordinary declaration will perhaps render many parts of the preceding pages not wholly useless, which, at the time of writing them, appeared to the author in some measure superfluous: as he conceived it not within the scope of human folly, or human wisdom, that any person would propagate any doubt upon the *great leading* principle of the *WHOLE*.

That doubt, however, having been proclaimed with the most intrepid determination, the author hopes that the following observations will be ad-

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mitted to be not an useless addition to what he has already written.

Indeed much of what he should have urged has been anticipated in the speech, on Thursday night, of one of the most acute, one of the most penetrating, comprehensive, enlightened, and eloquent men in Great Britain—of a man who unites the greatest perfections of genius and study ; who animates the most logical and detailed reasoning with the most natural and best placed energies ; and who tempers the most vigorous efforts of a powerful mind with the minutest perspicuity, and the most convincing correctness ; succinct though elaborate, clear however brief or abridged, and always learned though for ever ingenious ; forming an assemblage of merits that rank him among the first ornaments of the present or of any former parliament—I can mean no other than my Lord Loughborough.

When this nobleman's speech on Thursday night is answered, even *I* shall own myself a convert, and bow to the talisman that opens my intellect. But it is not in man's faculty to answer that speech ; and thus far I will venture to prophesy, that he who attempts it will be disgraced and defeated.

The Prince of Wales, who is levelled by Mr. Pitt to the condition of the meanest subject of the realm, is regarded by the law of England as synonymous with the King himself.—The words of Lord Coke, which I believe Lord Loughborough forgot on Thursday night are, *inconsideratione juris idem persona nobiscum*. By a statute of the 25th of Edward III. “ To conspire the death of the Prince “ of Wales is as much high treason, as to conspire “ the death of the King.” These are the very words of Blackstone* ; and this constitutes a dis-

* See his first volume, page 225.

inction between the Heir Apparent and ALL OTHER subjects of Great Britain. Thus far the law—And if these two distinctions do not demonstrate him as *the inevitable administrator* of the royal authority during his father's incapacity, when combined with all the other considerations that affect this case, then I may safely affirm that there is no sense in the law itself, no spirit in the constitution, and no such thing extant as political fitness.

As to the *political fitness*, even these bad men have not the presumption to deny it; but the reader will see in a moment that the matter may not be a jot the better by this qualification. The Minister affirms that the Prince has *no more right than any subject*; but that it is *fit* to invest him with a portion of the sovereign authority.—Mr. Pitt shall not skulk the rights of the Prince of Wales under the doctrine of expedience, nor escape the natural consequences of his own principles, because he *dares not* carry them into practice.

The Prince has no more right than any other person;—good—then *any other person may be appointed*—It is a clear result of the first position. See then to what this mischievous man would drive the nation, and what a prospect of peaceful times his principles open for this country, which would raise an authority within the state, paramount to the Prince of Wales, at the age of twenty-seven; when his father is as useless to all the ends of kingship, as if he were absolutely in his grave. What security is there for the Prince of Wales under a Regent that supersedes him in the sovereign authority? By the Regent it is meant not only to restore the government, but the legislature.

The legislature can alter the succession and may disinherit the Prince of Wales.

Is this a vague fear?—Let the reader be patient a while, and I will prove to him it is not so.

THIS VERY THING HAPPENED in a case the most similar to the present of any that has ever existed, since our nation had a name.

Upon a supposed incapacity in King Henry VI. the Duke of York was made Regent in 1460. All the power was placed in the hands of the Regent: and how did he use it? Thus, *He passed a law expressly disinheriting the Prince of Wales, declaring himself and his successors rightful heirs of the crown after King Henry's death, and investing himself with all the power during Henry's life; to the utter exclusion of the Prince of Wales and his heirs for ever.*

This is a fact upon record, as indubitable as life. And why shall not this happen to-morrow, if any other than the Prince of Wales become Regent, as by Pitt's denial of the Prince's right, any other may?—The only answer I can have is this—that the thing I have stated happened in times of violence.

They *were* times of violence, indeed, and the reader will presently see it is for the interest of my argument that they were so, when I shall point out to him the diabolical use which the Ministry, or their confederates have attempted to make of the transactions of those very times upon the present occasion.

Well, but all these terrors are obviated by Mr. Pitt's intimation of Friday night, namely, that though he denies the *right* he means to confirm the *fact*, and make the Prince Regent! Are they so?—He means “to place a barren sceptre in his hand,” and strip him of a part of the executive powers.

Suppose the Prince of Wales rejects a power which implies diffidence, and may entail disgrace upon him—Are *then* the terrors imaginary which I have here suggested from the experience of past times? And why, unless to insult him, is the thought

thought conceived of suspending any part of the regal functions? In this place I must re-assert one of the positions of the preceding pages, and affirm again, that reducing or dividing the royal authority "*is either a libel on the constitution or the Prince.*" If the constitution is good, keep it *entire*. If the Prince is unsafe with the regal power as Regent, he is unsafe with them as King, and therefore unfit to govern. For HE, unlike *all former Regents*, can have no temptation to *usurp*, the right being incontrovertibly *his own*.

There is another most serious view of this extraordinary undertaking. If the Prince is refused the Regency as matter of right, or he reject it if clogged with any dishonourable compact, and the Irish recognize his clear title to the government of their country, during his father's incapacity, how then stands it with the two nations? The Irish love the Hanover family in their hearts. Ireland is the only part of this empire that has not, at one time or other since their accession, rebelled against them. The Protestants love them for the stability of their property; the Catholics for putting an end to the barbarous persecutions under which they laboured for ages. *My life I would stake upon their decision in favour of the Prince of Wales*,—for that nation can have no common interest with a cabal in Downing-street. The Guardian * Genius of their constitution is here upon the spot, and will, I am persuaded, narrowly watch every step of these transactions. He who with the strong hand of irresistible eloquence redeemed their liberties a few years since, and, with the same superior ability, defended them so lately against the plots of Pitt and Jenkinson, will not hazard their existence by that which *he knows* would be a subversion of the constitution. This is indeed a most serious considera-

* Mr. Grattan.

tion. Never were two kingdoms connected by so nice and curious a link as these sister islands; and perhaps any other course than that which it is the object of this argument to recommend, may cut the strings for ever that twist them now together.

Scotland, too, is another object; and the Scotch, as Lord Stormont in the first instance declared, would deem the supercession of the Prince of Wales in such a case a breach of the spirit of the Union.

I will go much farther, and in plain, clear, unambiguous phrase, affirm, that unless the Prince of Wales has *a right* to administer the government, from the moment his father's incapacity or civil demise is declared by each House of Parliament, *that the frame of the government is actually dissolved, and the present Parliament has no more authority to dispose of the sovereignty, without consulting the people of England, than the assembly called by King William at his landing in 88, and which was composed of all the Parliaments of James and the latter years of Charles II. would have had to bestow the crown, in the first instance, upon the Prince of Orange, without being delegated by the people of England for that purpose.*

Either this is a revolution, or it is not; if not, the Prince's right, on the declaration of his father's incapacity or civil demise, is clear and certain. If it is a revolution, then is there an open robbery committed by the two Houses of Parliament upon the people of England, in assuming the right of disposing of the sovereign authority without their consent. When they elected this House of Commons they had no contemplation of a dissolution of the government, and never could have commissioned their present Representatives to unsettle the nation, as Pitt's principles plainly go to. And the fraud upon the people is so much the more, as the project now avowed is a libel upon the glorious Revolution in 1688, because it alters the constitution

tion as then established—inasmuch as it threatens to change the *genius* and *nature* of the executive branch of our government, by suspending or alienating a part of the royal prerogatives, without any charge of the least abuse of these prerogatives.

In this argument I feel myself supported by the very fundamentals of the constitution. A revolution is brought about, *and no necessity avowed for it*—the prerogatives of the executive branch taken away, *and no abuse even hinted at*—there is no assumption of power to do the GREATEST POSSIBLE ACT, *when no legal authority exists in the country to do even the smallest act*—a settlement of the nation, and an institution of a new species of third estate are attempted, upon a virtual dissolution of the frame of the government, and *not one citizen or elector in Great Britain consulted*.

THIS IS THE FACT, let sophistry gloss it as it may, and again I will state the case, for it cannot be stated too often: Either the frame of the government is dissolved, or it is not. If *not*, it is because *the Prince's right is passive*. If it is, then every citizen of Great Britain has an inherent inalienable right of opinion, and *should be consulted*.

These are the desperate plights to which the nation is driven by Mr. Pitt's manoeuvres, and this is the sad alternative which stares us in the face, *if we travel out of the high road of the constitution*. By the discussion of the Prince's right, no good can follow, and great evil may—By the decision of it against his right (if it were possible for madness, ignorance, and corruption to succeed in so deciding it) I know no misfortune to which a wise man might not look, as an event at least possible to this country. If, after the King's incapacity were declared in Parliament, an address to the Prince was presented, to assume the government during the existence of that incapacity, the rights of son and

and father remained sacred, and every thing would be quiet; but by the perverse, the damnable agitation, which Pitt forces forward of the *right*, such calamities spring up to view, that he who can behold them without horror must have nerves of adamant.

FOR something that is here to follow, it behoves me to apologize to the reader.

A pamphlet, under the title of "Considerations on the Regency," has been diligently circulated by the friends of the Ministry. That pamphlet pretends to answer some of the reasoning of the preceding pages; and for taking any notice of it, in my judgment, an apology is due to the reader and to *myself*; not because the work is feeble, its assertions false, and its tendency wicked; but because the mode of reply it has adopted, is the exploded trick, of opposing *affirmation* to *fact* any *authority*.

For instance. I have said*, that by the customs of the realm, the nearest male relation to the crown, capable of executing the duty, has commonly been Regent, or Protector. This author answers me my asserting—"that this is by no means true†." How is such a point to be decided?—by resorting to the facts, and consulting the authorities. The facts are these—The Earl of Lancaster, in the minority of Edward III.; the Duke of Lancaster, in that of Richard II. (presumptive heir of the crown); the Duke of Bedford, in that of Henry VI. (presumptive heir of the crown); the Duke of Gloster after him (presumptive heir of the crown); another Duke of Gloster, in that of Edward V. the nearest male capable of the office. Such are the facts;

* See page 6 of this pamphlet.

† See the Considerations.

and the reader will turn to the history, to prove them. Now for authority.

No historian ever lived, who has, or who deserves, a juster character for the veracity of his narratives, than David Hume ; whatever objections may be raised against some of his deductions in the latter part of his history of England. In page 272 of his third volume the reader will find these words. They were written before I was born, and could not have been designed to suit the present discussion. “ The Duke of Gloster, *being* “ *the nearest male of the royal family capable of exercising the government, seemed entitled, by the customs of the realm, to the office of Protector ; and the* “ Council, not waiting for the consent of Parliament, made no scruple of investing him with “ that high dignity.”

Exactly of a piece with the above are all the other parts of this ministerial performance ; and I should dismiss it now to that obscurity it must shortly sink into, if it were not combined too much with the great subject that at this time fills the public mind ; and if the precise resemblance of its principles with those intimated by Mr. Pitt on Friday night, did not lift it into a sinister importance by manifesting too plainly the quarter it proceeded from.

The whole drift of these manœuvres of the Ministry is to make the present incapacity of the King a parallel to that of Henry VI. and some extracts from the Rolls of Parliament are placed as an appendix to the work alluded to, evidently to make the conduct of the Duke of York's partizans in that memorable period, an example for the present moment.

Men's motives can only be judged of by their actions ; and here I affirm that in no crisis of civil strife, when factions went the greatest lengths, and

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ambition broke through every boundary ; when every line of legal order has been trampled under foot, and nations been convulsed to the highest pitch of distraction ; was there ever an attempt made more flagitious and abandoned, than to make the parliamentary transactions upon Henry the Sixth's incapacity a model for the present exigence.

Before I prove this point, let me be allowed to rectify an error which goes a greater way than may be at first imagined.

The authority of the Duke of York in Henry the Sixth's incapacity, which the writer for the Ministry exultingly alludes to, *did not* originate with Parliament. It was conferred by the King in his own council, though afterwards increased and defined by that assembly, to which increase and definition the King *consented*. Now as this should not be taken, or any other point of fact, upon any word, or upon that of any anonymous writer, I will refer the reader to the sources of proof for all my assertions * : let it be observed then, that *subsequent to that instrument* are all the parliamentary transactions upon this subject.

My object in specifying this point, is to contradict an assumption, that seems to have gone forth, as if the *two Houses* of Parliament had given all his authorities to the Duke of York ; whereas in fact, every power from first to last was given by the King's consent in his legislative capacity. Henry's illness did not resemble that of his present Majesty. His inefficiency arose more from a feeble frame, and a driveling understanding, than

* See in Rymer, volume 11th, page 344, the instrument done by the King in council, which gave York the first power, dated the 13th of February, 1454 ; see also the 5th volume of the Rolls of Parliament, page 239, No. 24. See Cotton's Abridgement of the Records of the Tower of London, page 651, and all the common Histories of England.

any thing like the dreadful malady which has subdued every function of rational movement in King George the Third ; and the former monarch was in the worst moments, capable of doing that which preserved the *legislative integrity* of the government. No succour, therefore, can be found in the events of these times to the monstrous positions now advanced, namely, that the two Houses can perform *that*, which *can be no other* than a legislative act.

And I have heard that Mr. Fox has been accused of deserting his Whig principles, in maintaining the reverse of this position :—Is the whole nation frantic ?—and is the grave-digger, in Hamlet's observation, verified at last, “ that in England all the folks are mad alike ? ”

Accused of deserting his principles, for denying that, which two of the most notorious laws in our statute book make it a *premunire* to maintain, viz. That any two of the three estates can make law : and surely altering the nature and genius of the executive authority, or meddling with the very smallest of its prerogatives can be no other than a legislative proceeding.

If Mr. Fox denied that the people of England could not, upon just grounds, and upon an adequate provocation, alter the succession and confer the sovereignty *where they pleased*, he would indeed renounce his principles, and with all my adoration of his character, I should be the first to renounce him. Yet even such a measure, though perhaps the noblest exertion of popular power, could not be done as a *legislative act*. It would be going back to first principles, and acting by an authority which transcends all local institutions.—The capacity of the two Houses, in their present state, is not to *make* law but to *declare* it, not to *give* but to *recognize* right. To *give* is to *legislate* ; they cannot legislate without the first estate ; and if that estate is extinct, they *cannot* create one, without consulting the

people,—for the extinction once admitted, the dissolution of the government follows of necessity, and the nation is thrown back again upon first principles.

Perhaps I have said this before, but no matter, it cannot be repeated too often: I write in a hurry, and this subject is too vast to allow any care for critical composition.

I shall now proceed to the close of this discourse, by shewing the reader, according to my promise, the iniquity of making the parliamentary operations upon Henry the Sixth's incapacity (which I understand, make a considerable part of the precedents, to be this day delivered to the members of each House of Parliament, and which the writer for the Ministry most diligently quotes in his appendix), any example for the present times unless to deter and terrify us.

Does the reader know the history of England at the period alluded to? If he does not, it is an evil to himself and to his country; for, as all are interested, all should be informed upon a subject, in which, *perhaps*, all may be forced to take a part not merely speculative.

If by any convulsion of Europe it should happen, that the Cardinal of York, the grandson of King James II. should be enabled to prefer by active operations, his claim to the crown of King George III. at this moment, what would be the conduct of a citizen of this empire? I apprehend it would be this: He would shoot the Cardinal through the heart, as an incendiary that meant to light the kingdoms into civil flames. This he would take, as the shortest course, and not waste time in scrutinizing his title.

Exactly the counterpart of this hypothesis of the Cardinal of York was the conduct of Richard Duke of York in the reign of king Henry VI.

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Henry was the third of the house of Lancaster^f and George is the third King of the house of Brunswick. The Lancaster family reigned for sixty-three years; the Brunswick family for seventy-three years. The two first Lancastrian Princes were great men, and brought much renown upon the nation; the two first Brunswick Princes were great men likewise, and brought fame and fortune to the nation. Some misfortunes happened under the third King of the house of Lancaster—may I be allowed to say, that *some* have been experienced under the third King of the house of Brunswick? The chief difference between the two cases would consist in the disparity which exists between the personal characters of the two Princes, and in the closer proximity of the blood of Lancaster to Richard II. than of the blood of Brunswick to James II. Their titles too, in fact, were similar; for Henry IV. grounded his claim upon the voice of the nation, and George I. never affected any other claim.

We shall not now inquire which had the strict right to the crown of England, of two Princes who have been in their graves above three hundred years. Yet as nearly as it is possible for two cases to be, was the dispute of Richard Duke of York for the crown of England with King Henry VI. as if the Cardinal of York were to emerge at this moment from the conclave, and, by some extraordinary revolution, were enabled to contend for the British diadem with King George III.

Now who was this Duke of York? Besides being first Prince of the blood, he inherited all the vast possessions of the dukedoms of York and Clarence, the earldoms of Cambridge, Ulster, and Marche; he was, in a word, the richest subject that ever obeyed the scepter of Great-Britain.

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He was married into the House of Nevil, which formed within itself a knot of nobility, wealth, and power, that never before, nor ever since, were united in one family in these kingdoms. Of this family were the Lords Westmoreland, Salisbury, Latimer, Fauconberg, Abergavenny, and last, and greater than all the rest, Warwick, commonly stiled the King-maker.—The Duke of York had likewise the Earl of Devonshire devoted to him from private love, and the family of Norfolk, from their hereditary rancour to the House of Lancaster. The reader can form no image of the power of these mighty Barons from any comparison with modern nobility. In a word, all the rest of England united could not make a House of Commons against Richard and his friends, and they were *themselves* almost the whole House of Lords.

Such was the Duke of York, and such his connections. For twenty years he is known to have meditated * the crown of Henry, but being of an irresolute temper, and for those times of a placid disposition, he abstained for a long time from openly prosecuting his object, though he had taken all private care to secure its success.

But time grew heavy at length, and ambition roused him into action. So early as 1452 he appears in open arms at the head of ten thousand men against the King's authority, and met Henry himself in Kent to give him battle, with scarcely any pretext for such violence. However, as he was the next heir to the crown, his friends persuaded him to desist for the present, and he dismissed his army. Things remained for a little time in a deceitful tranquillity, until an event which soon followed, drove York forth again, and developed all his views; namely, the Queen of

* Hollinghed, Hall, Grafton, Hume, Rapin, &c. &c.

Henry being delivered of a Prince of Wales, which cut off all hopes of his own peaceful succession to the throne.

Then indeed the oracle was understood, and York's power felt in every quarter. At this time commenced the King's infirmity, which rendered him unfit to govern, and Margaret, with the King's Council, were forced to give the Regency of the kingdom to this very Duke of York, * whose views upon the crown no man was a stranger to.

The Parliament was devoted to him, and went greater lengths in increasing his power than a person ignorant of the intrigues of those times could think the Duke himself wished them to go †. But it was essential for Richard to preserve a character for moderation, in order to reconcile the nation to unsettle the government, and hence his coyness and coquetry with the Parliament as to the extent of his own powers, ‡ and his solicitude to have a council:—A council then they gave him of his own bosom friends, and all the authority he could desire.

Being convinced myself of the truth of my arguments, it is my wish to convince others; and as I would not have any material point depend upon my anonymous affirmation, I shall regularly refer the reader to the most indubitable proofs of the veracity of my alledgments. David Hume could not have written to decide between the Prince of Wales and the modern King-maker—William Pitt, and his words upon this subject are as follow: “Men who
“ thus entrusted sovereign authority to one, that
“ had such evident and strong pretensions to the
“ crown, were not surely averse to his taking im-
“ mediate and full possession of it §.”

* Rymer, vol. 11th, page 344.

† Rolls of Parliament, vol. 5th, page 240.

‡ Ibid. page 242.

§ Hume, vol. 3d, page 199.

Undoubtedly not. *His* object was *their* object; he deemed it expedient to put on a shew of moderation to beguile the public; and the Parliament acted their part in the farce to a miracle—*Yet such is the Parliament quoted by Pitt's advocate as a model for these times.*

The limitations to the Duke of York's power at this time were two—first the majority of the Prince of Wales; and secondly, King Henry's own pleasure. It pleased the King in about a year after this delegation, to revoke the power.* He did so; and in less than a month after the revocation; the Duke appeared in open arms against his acknowledged sovereign, fought him at St. Alban's, killed five thousand of his troops, and among the rest the Duke of Somerset, the Earls of Northumberland and Stafford, Lord Clifford, and many other nobles, and took Henry himself prisoner.

A parliament met in about two months after this event—And what would the reader suppose to be their first operation? The impeachment of York without doubt——.

Their first measure was to grant an indemnity to all the Yorkists for this open treason; and to restore the Regency again to Richard, going over the same ceremony as to the extent† and nature of his powers as upon the former occasion—*Yet this is the parliament quoted by Pitt's advocate as a model for the present times.*

Queen Margaret, a woman of great spirit and enterprize, forced her husband in Richard's absence, to appear in the House of Lords, and to resume his power. Richard pretended a concurrence with this resumption, but directly entered upon measures to ensure the success of the claim which he soon after openly made upon the crown.

* Rymer, vol. 11th, page 363.

† Rymer, Roll. Parl. Cotton, &c. &c.

After various intrigues and negotiations, they came again to blows, and the battles of Bloreheath and Northampton were fought. A Parliament was called in the King's name who was again the Duke's prisoner; before which Parliament, Richard expressly opens his claim to the crown.

What do the Parliament upon this occasion? They directly recognize Richard's claim; they invest him with all the power during Henry's life, declare him and his posterity rightful heirs to the crown upon Henry's death, and disinherit the Prince of Wales and his heirs for ever.* The unfortunate King (who was Richard's prisoner) consented to all this violence; and the destruction of the royal family was accomplished by a regular act of Parliament.

This was the last act of Richard's Parliaments, for he lost his life at the battle of Wakefield in the same year; and yet these are the Parliaments whose transactions are cited as an example for the present moment. From the bad conduct of these very Parliaments, sprung all the calamities of this dreadful quarrel, which, to use the words of Hume, "was not finished in less than a course of thirty years, which was signalized by twelve pitched battles, which opened a scene of extraordinary fierceness and cruelty, is computed to have cost the lives of eighty princes of the blood, and almost entirely annihilated the ancient nobility of England†." Such is the genuine character of these Parliaments, and from this brief but faithful picture of them, let the world judge of the men who quote them as guides upon the present occasion.

Is there a man who can look back at these scenes without shuddering to the very center of his frame? Is there a man who has ever read the lamentable

* Cotton, page 365-6-7. Hollingshed, Hume, &c. &c. &c.
pin.

† Vol. 3d, page 200.

tations of that series of civil slaughters, without affliction and horror? Is there a man who can think of those who would risk the revival of such events, without eternal abomination?

The Parliaments alone, of those times, are accountable to God and man for all those evils. Had they resisted the Duke of York in any one of his proceedings, the people would have decided against innovations upon the settled establishment; and this bloody tragedy had perhaps never been acted. But these Parliaments were his picked and chosen instruments; and their sanction lent him authority, and encouraged his operations.

The devotion of these three Parliaments to the purposes of the Duke of York, is one of the most notorious facts in English history, and because it is that notorious fact, I can say, without fear of being in the wrong, that the man who would make *their* measures a model for *the present times*, is a villain and a traitor.

For the present those men may escape who recommend such things; but there is an immortal spirit of exemplary justice in the law of England, which cannot fail, one day or other, to hurl its vengeance upon their guilty heads, and which will teach mankind his useful lesson, — that ambition itself has limits in times like the present, and that pride, revenge, and avarice shall not with impunity presume to disturb the tranquillity of nations.

